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RUEHBI/AMCONSUL MUMBAI PRIORITY 4505  
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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 000731

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TAGS: [PGOV](#) [PTER](#) [PHUM](#) [CE](#)

SUBJECT: SRI LANKA: AMBASSADOR STRESSES NEED TO DEVELOP  
POLITICAL PROPOSALS, DEMONSTRATE RESPECT FOR HUMAN RIGHTS  
IN MEETINGS WITH FOREIGN SECRETARY AND OPPOSITION PARTY

REF: A. COLOMBO 723

[1](#)B. COLOMBO 697

Classified By: AMB. JEFFREY J. LUNSTEAD. REASON: 1.4 (B,D).

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SUMMARY  
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[1](#)1. (C) In separate May 4 meetings with Foreign Secretary H.M.G.S. Palihakkara and opposition United National Party (UNP) Deputy Leader Karu Jayasuriya, the Ambassador emphasized U.S. support for the Government of Sri Lanka (GSL) and the need for the Liberation Tigers of Tamil Eelam (LTTE) to give up violence, but also the need for the GSL to show genuine concern for Tamil grievances, uphold human rights, and work on proposals for a political settlement that addresses Tamil aspirations. Palihakkara assured the Ambassador that President Mahinda Rajapaksa had clearly instructed the security forces to halt any support to paramilitaries and move forward on investigating violent crimes against civilians. The Foreign Secretary also reported that the President will soon form a committee to "flesh out" a proposal for a political settlement based on the concept of "maximum devolution." Jayasuriya said his party's support for the peace process gave Rajapaksa a rare opportunity to build a national consensus on a political settlement to the conflict. Fear of losing support of hardline parties may be preventing Rajapaksa from taking advantage of this unique opportunity, Jayasuriya opined. A veteran consensus-builder, the President may be waiting for a consensus on volatile issues like federalism that may never emerge. The President should not allow his penchant for consensus-building to prevent him from taking advantage of this rare moment of bipartisan support to move ahead on the peace process. End summary.

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U.S. SUPPORT CONTINGENT ON RESPECT FOR HUMAN RIGHTS  
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[1](#)2. (C) During a May 4 meeting with the Ambassador and DCM, Foreign Secretary H.M.G.S. Palihakkara said that there is tremendous appreciation for the U.S. position on recent

developments in Sri Lanka. "The President and the rest of us understand that we have your full support against the LTTE but that we must also act when there is violence against Tamils," Palihakkara stated. He described a May 3 National Security Council meeting he attended at which President Rajapaksa had made clear he was "very keen on the Tamil confidence-building issue." Moreover, the Foreign Secretary said, the President had been "very harsh" with the military and police and made clear that support to the paramilitaries, if such a thing were happening, must stop and that there must be progress in solving violent crimes in government-controlled areas. The Ambassador briefed Palihakkara on U.S. efforts to upgrade the firepower capabilities of Sri Lankan navy attack craft and on upcoming Anti-Terrorism Assistance (ATA) training opportunities. The Ambassador stressed that in order for the U.S. to provide this and other expanded security assistance, it is imperative that security force conduct be impeccable. If human rights concerns develop regarding the security forces, as they did in the 1980s and 1990s, "the U.S. will not be able to help you." Palihakkara said he understood completely and, more importantly, the President and his inner circle understood as well. The Ambassador noted that publicity is part of the solution. He had learned the previous day from the Defense Secretary that the police Special Task Force members arrested

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for the murders of five Tamil students in Trincomalee in January are still in detention, and the case is moving forward. This is not widely known, the Ambassador continued. If it were, it would help assuage Tamil concerns. Palihakkara agreed that the government needed to be "more transparent and open."

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DEFINING MAXIMUM DEVOLUTION

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13. (C) Palihakkara commented that the President's most recent all-party congress had resulted in a document that for the first time called for tough anti-terrorism measures while also moving forward on "peace building." "Before, it's been one or the other." Moreover, Rajapaksa soon will form a committee to "flesh out" exactly what the President's campaign trail call for "maximum devolution" means and come up with a public proposal. The Ambassador agreed this is a very good idea. Palihakkara noted that Peace Secretariat head Palitha Kohona continues to have a "green light" from the President on the "seaplane option" for transporting eastern Liberation Tigers of Tamil Eelam (LTTE) cadres to the north for a central committee meeting, and logistical details are being worked out (Ref B). Palihakkara commented that that is a "charade" since, in his view, the LTTE will not agree in the end. Nonetheless, the key point is that the GSL will do everything possible to make it happen, even after the April 25 bomb attack on Lt. General Fonseka.

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UNP: NO "PETTY POLITICS" FOR US  
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14. (C) In a May 4 meeting with the Ambassador, opposition United National Party (UNP) Deputy Leader Karu Jayasuriya emphasized his party's support for GSL efforts to achieve a peaceful resolution to the conflict with the LTTE. "We're not protesting or playing petty politics," he stressed; President Mahinda Rajapaksa should make use of the rare opportunity for bipartisan support to develop a political proposal for the north and east. Rajapaksa is constrained from doing so, however, by hardline supporters in the Janatha Vimukthi Peramuna (JVP) and Jathika Hela Urumaya (JHU), Jaysuriya commented, but how long can the President continue to worry about accommodating them? Now is the opportune moment to talk about next steps in the peace process. Little

has been achieved so far at the much-hyped all-party conferences the President chairs, the Deputy UNP Leader continued. "We waste three hours listening to prepared statements . . . pledge our support to the President and come back." There is never any discussion of the outlines of a political settlement, he noted. The UNP is therefore insisting on separate meetings with the President so that substantive discussions can take place.

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A FEDERAL SYSTEM BY ANY OTHER NAME  
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15. (C) The Ambassador commended the UNP on its nonpartisan approach to the peace process. Remarking that he believes the President sincerely desires a peaceful settlement (a point on which Jayasuriya concurred), the Ambassador observed that Rajapaksa seems to have little appreciation of the fundamental political changes that will likely be necessary. To resolve the conflict, the GSL must make clear that it understands Tamil grievances, that it is committed to protecting the human rights of all its citizens, and that it is willing to make dramatic political changes to accommodate Tamil aspirations, the Ambassador said. The Thirteenth Amendment (which created the Provincial Council system) is not enough. Genuine discussions on the outlines of a settlement, rather than a public relations exercise (which is all the all-party conference seems to amount to so far), is needed, the Ambassador continued. Part of those discussions should be a sincere effort to make people--including members of the JVP--aware of the realities on the ground that necessitate dramatic political change. Jayasuriya agreed, adding that "the President hates to talk about federalism" because of the JVP and JHU. But regardless of what he calls it, the President has to develop a model that goes beyond the Thirteenth Amendment (the Provincial Councils' ineffectiveness has "discredited" the system) but which is nonetheless "marketable in the south." If the President were to propose something along the lines of Indian federalism--as long as he called it something innocuous like "the Indian

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model," rather than "federalism"--that might work, Jayasuriya suggested.

16. (C) The GSL's security concerns are understandable, the Ambassador noted, but recent troubling cases of assassinations near military checkpoints, disappearances and arbitrary arrests merely deepen law-abiding Tamils' sense of insecurity and mistrust of the Government. Jayasuriya agreed, adding that he believes the perpetrators in the murders of two Tamil newspaper employees in Jaffna May 2 (Ref A) "must be someone within the system." Jayasuriya said he had expressed his concerns to the President, who seemed convinced that the culprit(s) could only be "someone trying to embarrass him." (Note: As noted Ref B, Rajapaksa had expressed a similar opinion in his April 27 meeting with Charge'.) Jayasuriya added that the JVP is "beating the war drums" (he asserted there are "15,000 JVP sympathizers in the services") and that breakaway LTTE faction leader Karuna "has some sympathy in the south." He attributed much of the security forces' heavy-handed approach (e.g., arresting law-abiding Tamils with well-established, long-term residency in Colombo) to poor intelligence.

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COMMENT  
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17. (C) Whatever the President may be saying in National Security Council meetings, the perception that the Government is either unwilling or unable to safeguard the rights of the Tamil community remains strong, unchallenged by public evidence that the GSL is providing any redress. If the GSL has a good story to tell on this important issue, it needs to

start telling it soon. Like its war machine, the LTTE's propaganda machine (bolstered by reports from TamilNet and the LTTE Peace Secretariat on the latest purported GSL human rights abuses) seems more efficient, better prepared and more generously financed than the GSL's. Jayasuriya is right that his party's support, along with the (at least nominal) backing of hardliners like the JVP and JHU, gives the President a valuable--and likely brief--opportunity for multipartisan consensus. He should move quickly to take advantage of it; the chance may not come again soon. He has to realize, however, that a political settlement far-reaching enough to be acceptable to the Tamil community is likely to prove unacceptable to Sinhalese chauvinists. As much as the President's instincts as a consensus-builder make him want to have it both ways, we doubt it is possible, and he may end up having to make the very difficult choice of which constituency he prefers.

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